

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

SUNOCO PARTNERS MARKETING &
TERMINALS L.P.,

Plaintiff,

v.

POWDER SPRINGS LOGISTICS, LLC,
AND MAGELLAN MIDSTREAM
PARTNERS, L.P.,

Defendants.

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Civil Action No. 17-1390-RGA

JURY TRIAL REQUESTED

[PROPOSED] ORDER FOR PERMANENT INJUNCTION

WHEREAS the Court has found that Defendants Powder Springs Logistics, LLC and Magellan Midstream Partners, L.P. (“Defendants”) Powder Springs system at Atlanta Junction has infringed claim 3 of U.S. Patent No. U.S. Patent No. 9,207,686 (the “’686 Patent”);

WHEREAS, the Court has found that Plaintiff Sunoco Partners Marketing & Terminals L.P. (“Plaintiff”) will suffer irreparable harm if Defendants continue their infringement, that monetary damages cannot adequately compensate Plaintiff for this resulting irreparable harm, that the balance of equities weighs in favor of granting injunctive relief, and that public interest weighs in favor of granting a permanent injunction;

NOW THEREFORE, having considered the entire record in this action, the verdict of the jury, relevant orders of the Court, and the papers submitted by the parties, and good cause having been shown:

I. PROHIBITED ACTIVITIES – ’686 PATENT

IT IS HEREBY ORDERED that, pursuant to 35 U.S.C. § 283, Defendants, and any of their officers, agents, servants, employees, and attorneys, and those persons in active concert or participation with any or all of them, are hereby permanently enjoined from infringing claim 3 of

the '686 Patent from the Effective Date (which is two days from the date of this signed Permanent Injunction) until the '686 Patent expires on April 5, 2022: by using the Powder Springs system at Atlanta Junction that infringes claim 3 of the '686 Patent, and by making or using any butane blending system no more than colorably different from the Powder Springs system that enables the injection of butane into gasoline as the gasoline passes through the Colonial Pipeline.

II. CONTINUING JURISDICTION

The Court specifically retains jurisdiction to enforce, modify, extend, or terminate this Permanent Injunction as the equities may require, upon a proper showing, and to adopt procedures for resolution of any dispute regarding whether a product not specifically covered by this Permanent Injunction is more than colorably different from the adjudged infringing products.

IT IS SO ORDERED

Dated: _____

The Honorable Richard G. Andrews
United States District Judge